

Message Text

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USCINCSO QUARRY HTS CZ/J-2

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TAGS: PINT, BL
SUBJECT: BOLIVIAN ELECTORAL MECHANICS

1. SUMMARY: UNDER THE CURRENT ELECTORAL LAW, BOLIVIA'S NEXT PRESIDENT AND VICE PRESIDENT WILL BE ELECTED BY A MAJORITY OF THE POPULAR VOTE. IF NO MAJORITY IS OBTAINED, HOWEVER, THEY WILL BE CHOSEN BY THE CONGRESS FROM THE THREE LEADING CANDIDATES FOR EACH OFFICE. THE CONGRESS WILL BE ELECTED BY A PLURALITY, WITH 80 PCT OF THE DEPUTY SEATS AND 66 AND TWO-THIRDS OF SENATE SEATS IN EACH DEPARTMENT (EQUIV

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ALENT TO A US STATE) GOING TO THE TICKET WHICH RECEIVES THE LARGEST NUMBER OF VOTES. FOR THIS REASON, IF NO PRESIDENTIAL CANDIDATE WINS BY MAJORITY, THE CANDIDATE WHOSE TICKET RECEIVES A PLURALITY IS LIKELY TO BE ELECTED BECAUSE HIS SLATE IS ALMOST CERTAIN TO CONTROL CONGRESS. END SUMMARY

2. THE FOLLOWING ANALYSIS IS PROVIDED TO ASSIST WASHINGTON OBSERVERS IN UNDERSTANDING HOW ELECTORAL MECHANICS ARE LIKELY TO AFFECT THE BOLIVIAN ELECTION CAMPAIGN AND ITS OUTCOME.

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3. ACCORDING TO THE 1965 ELECTION LAW (AS AMENDED IN 1966), WHICH IS NOT LIKELY TO BE MODIFIED SUBSTANTIALLY, BOLIVIA'S NEXT PRESIDENT AND VICE PRESIDENT WILL BE ELECTED BY AN "ABSOLUTE" MAJORITY OF THE POPULAR VOTE (I.E. FIFTY PERCENT PLUS ONE). IF NO CANDIDATE OBTAINS A MAJORITY, THEY WILL BE CHOSN BY CONGRESS FROM THE THREE LEADING CANDIDATES FOR EACH OFFICE. THE CONGRESS WILL BE BI-CAMERAL,

CONSISTING OF A SENATE AND A CHAMBER OF DEPUTIES. ELECTION OF SENATORS AND DEPUTIES WILL BE BY DEPARTMENT, BOLIVIA'S LARGEST GEOGRAPHICAL ENTITY, AND REPRESENTATION WILL BE PROPORTIONAL. TWO-THIRDS OF THE SENATE SEATS WILL BE ALLOTTED TO THOSE CANDIDATES RECEIVING THE MOST VOTES (CALLED A "MAJORITY" IN THE LAW), AND ONE-THIRD TO THOSE RECEIVING THE NEXT HIGHEST NUMBER OF VOTES (CALLED A "MINORITY") PROVIDING THAT THE PRESIDENTIAL CANDIDATE HEADING THE "MIN-

ORITY" SLATE IS DIFFERENT FROM THE PRESIDENTIAL CANDIDATE OF THE "MAJ-

ORITY". IN THE SAME FASHION, FOUR-FIFTHS OF THE DEPUTY SEATS WILL GO TO THE "MAJORITY" AND ONE-FIFTH TO THE "MINORITY". THUS, IT IS POSSIBLE FOR A PRESIDENTIAL AND VICE PRESIDENTIAL CANDIDATE TO WIN LESS THAN HALF OF THE POPULAR VOTE, BUT TO BE SELECTED ULTIMATELY BY A CONGRESS COMPOSED LARGELY OF PERSONS WHO ACCOMPANIED THEM ON THEIR TICKET. MOREOVER, THE PRESIDENTIAL CANDIDATE WHO WINS THE LARGEST NUMBER OF VOTES NATIONWIDE IS ALMOST CERTAIN TO CONTROL THE CONGRESS, ALTHOUGH SPECIAL CIRCUMSTANCES ARE CONCEIVABLE WHICH WOULD ALLOW A LOWER VOTE-GETTER TO DO SO. FINALLY, BECAUSE OF THIS SYSTEM OF PROPORTIONAL REPRESENTATION, SMALLER POLITICAL PARTIES THAT DO NOT JOIN FRONTS OR COALITIONS HAVE VIRTUALLY NO CHANVE OF PARTICIPATING EITHER ON A "MAJORITY" OR "MINORITY" BASIS IN AN ELECTED CONGRESS. THIS REALITY WILL ENCOURAGE THE FORMATION OF FRONTS AND COALITIONS DURING THE COMING CAMPAIGN.

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4. BELOW ARE KEY PROVISIONS OF THE ELECTORAL LAW:

A. ELIGIBILITY FOR SUFFRAGE. BOLIVIANS OVER THE AGE OF TWENTY-ONE (OR, IF MARRIED, OVER THE AGE OF EIGHTEEN) ARE REQUIRED TO VOTE. SUFFRAGE, HOWEVER IS NOT EXTENDED TO CERTAIN CATEGORIES OF CITIZENS, INCLUDING, FOR EXAMPLE, MILITARY CONSCRIPTS ON ACTIVE SERVICE, DEAF MUTES WHO ARE NOT LITERATE, AND THE INSANE. A FOREIGN NATIONAL MAY VOTE IF HE OR SHE HAS BEEN A RESIDENT OF BOLIVIA FOR MORE THAN TEN YEARS, OR IS MARRIED TO A BOLIVIAN CITIZEN, OR HAS A BOLIVIAN-BORN CHILD.

B. ELIGIBILITY FOR OFFICE. A CANDIDATE FOR THE OFFICE OF PRESIDENT, VICE PRESIDENT, SENATOR OR DEPUTY MUST BE BOLIVIAN BY BIRTH, LITERATE, HAVE MET HIS MILITARY OBLIGATIONS, BE INSCRIBED IN THE ELECTORAL REGISTRY, AND NOT HAVE BEEN DEPRIVED OF THE RIGHTS OF CITIZENSHIP. A CANDIDATE FOR THE OFFICE OF PRESIDENT, VICE PRESIDENT OR SENATOR MUST BE AT LEAST THIRTY-FIVE YEARS OLD; FOR A DEPUTY, AT LEAST TWENTY-FIVE YEARS OLD. PERSONS IN PUBLIC ADMINISTRATION, LABOR LEADERS IN POWER, ECCLESIASTICS AND MEMBERS OF THE MILITARY MUST VACATE THEIR FUNCTIONS AT LEAST 60 DAYS BEFORE ELECTIONS.

C. ELECTION FORMAT.

--THE PRESIDENT AND VICE PRESIDENT WILL BE ELECTED DIRECTLY BY AN ABSOLUTE MAJORITY OF VOTES (FIFTY PERCENT PLUS ONE). IN THE ABSENCE OF AN ABSOLUTE MAJORITY, THE WINNERS WILL BE DECIDED BY CONGRESS FROM AMONG THE THREE WHO RECEIVED THE MOST VOTES FOR EACH OFFICE. THEY WILL SERVE FOUR-YEAR TERMS.

--EACH GEOGRAPHICAL DEPARTMENT WILL ELECT THREE SENATORS, TWO REPRESENTING THE "MAJORITY" AND ONE THE "MINORITY". SENATORS WILL SERVE SIX-YEAR TERMS, WITH ONE-THIRD OF THE TOTAL SEATS COMING UP FOR ELECTION EVERY TWO YEARS. (FIRST AND SECOND ROTATIONS WILL BE DECIDED BY LOT.) TOTAL NUMBER OF SENATE SEATS IS 27.

--EACH DEPARTMENT WILL ELECT FIVE DEPUTIES, PLUS ONE ADDITIONAL
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DEPUTY FOR EACH FIFTY THOUSAND INHABITANTS, EXCLUDING THE CAPITALS. FOUR-FIFTHS OF THE DEPUTY SEATS WILL CORRESPOND TO THE "MAJORITY"; ONE-FIFTH TO THE "MINORITY". EACH PARTY, FRONT, OR COALITION WILL PROPOSE CANDIDATES TO FILL FOUR-FIFTHS OF THE DEPUTY SLOTS. DEPUTIES WILL SERVE FOUR-YEAR TERMS, WITH HALF OF THE TOTAL SEATS BEING ELECTED EVERY TWO YEARS. (AGAIN, FIRST ROTATION BY LOT.) TOTAL DEPUTY SEATS, ACCORDING TO CURRENT ESTIMATES WILL BE 128.

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D. ORGANIZATION. THE ELECTIONS WILL BE SUPERVISED BY THE NATIONAL ELECTORAL COURT, CONSISTING OF FIVE MEMBERS AND FIVE ALTERNATES. DIRECTLY UNDER THE NATIONAL COURT ARE NINE DEPARTMENTAL COURTS (ONE FOR EACH GEOGRAPHICAL DEPARTMENT). EACH CONSISTS OF THREE PRINCIPALS AND THREE ALTERNATES. FROM THE DEPARTMENTAL COURTS, THE CHAIN OF RESPONSIBILITY DESCENDS AS FOLLOWS:

--ELECTORAL JUDGES: CHARGED WITH SUPERVISING THE ACTIVITIES OF THE NOTARIES AND THE ELECTORAL JURORS, THEY ARE LOCATED IN THE CAPITALS OF THE DEPARTMENTS AND PROVINCES, AND AT THE ELECTORAL SEATS.

--NOTARIES: RESPONSIBLE FOR ENROLLING VOTERS, ISSUING ELECTORAL CARNETS, AND MAINTAINING THE ELECTORAL REGISTRIES, THEY ARE LOCATED AT EACH ELECTORAL SEAT.

--ELECTORAL JURORS: SELECTED BY LOT FROM QUALIFIED VOTERS, THEY ARE CHARGED WITH SUPERVISION OF THE VOTING TABLES.

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E. VOTING PROCEDURES. VOTING TABLES ARE APPORTIONED SO AS TO HANDLE 300 VOTERS EACH. THEY MUST REMAIN OPEN FOR AT LEAST EIGHT HOURS OR FOR AS LONG AS THERE ARE PERSONS WAITING TO VOTE. A PRESIDENT, WHO IS ASSISTED BY FIVE ELECTORAL JURORS, PRESIDES OVER EACH TABLE. THE BALLOTING IS WITNESSED BY REPRESENTATIVES FROM THE POLITICAL PARTIES, AND TAKES PLACE AS FOLLOWS:

--THE VOTER APPROACHES THE TABLE AND DISPLAYS HIS ELECTORAL CARNET, WHICH IS DULY EXAMINED BY THE JURORS. AT THE APPROPRIATE PLACE IN THE ELECTORAL REGISTRY, THE VOTER PLACES HIS THUMB PRINT AND, IF ABLE, SIGNS HIS NAME.

--THE PRESIDENT OF THE TABLE SELECTS A BLANK VOTING ENVELOPE AND, IN PUBLIC VIEW, SIGNS HIS NAME TO IT; THE ENVELOPE IS COUNTERSIGNED BY AT LEAST HALF OF THE PARTY REPRESENTATIVES PRESENT. THE VALIDATED ENVELOPE IS HANDED TO THE VOTER, WHO THEN ENTERS THE VOTING BOOTH.

--THE VOTER CHOOSES A BALLOT (EACH PARTY, FRONT OR COALITION WILL HAVE ITS OWN) FROM THE SUPPLY IN THE VOTING BOOTH, PLACES IT IN THE ENVELOPE AND SEALS THE ENVELOPE SHUT. BLANK BALLOTS WILL ALSO BE AVAILABLE IF THE VOTER WISHES TO OBSTAIN.

--AFTER LEAVING THE VOTING BOOTH, IN THE PRESENCE OF JURORS AND PARTY REPRESENTATIVES, THE VOTER DROPS THE ENVELOPE INTO THE

VOTING URN.

--THE VOTER'S NAME IS CROSS OFF THE REGISTRATION LIST, AND
HIS ELECTORAL CARNET IS RETURNED TO HIM. HIS HAND IS MARKED WITH
INDELIBLE INK, SO THAT (AT LEAST IN THEORY) HE CANNOT VOTE AGAIN.

F. DEPARTMENTAL COMPUTATIONS. THE DEPARTMENTAL COURTS ARE
RESPONSIBLE FOR COLLATING AND ADDING THE RESULTS OF THE SEPARATE
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VOTING TABLES. THEY DETERMINE THE TOTAL NUMBER OF VOTES CAST
FOR EACH CANDIDATE FOR PRESIDENT, VICE PRESIDENT, SENATOR
AND DEPUTY, AND THEY CALCULATE THE MAJORITY/MINORITY RELATIONSHIPS
OF THE SENATOR AND DEPUTY CANDIDATES. COPIES OF THESE DEPART-
MENTAL RESULTS ARE FURNISHED TO EACH POLITICAL PARTY AND EACH
ELECTED REPRESENTATIVE; THE ORIGINAL IS FORWARDED TO THE
NATIONAL ELECTORAL COURT.

F. NATIONAL COMPUTATIONS. ON THE BASIS OF THE TOTALS SUBMITTED
BY THE DEPARTMENTAL COURTS, THE ELECTORAL COURT MUST WITHIN
THIRTY DAYS COMPUTE THE VOTES FOR PRESIDENT AND VICE PRESIDENT.
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